

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

ARIE RANGOTT,

Defendant.

SUPERSEDING INDICTMENT

S8 23 Cr. 004 (JHR)

COUNT ONE
(Conspiracy to Defraud the United States)

The Grand Jury charges:

1. From at least in or about 2019, up to and including in or about January 2023, ARIE RANGOTT, the defendant, and others known and unknown, knowingly did combine, conspire, confederate, and agree together and with each other to defraud the United States and an agency thereof, to wit, the U.S. Department of Health and Human Services ("HHS"), in violation of Title 18, United States Code, Section 371.

2. It was a part and object of the conspiracy that ARIE RANGOTT, the defendant, and others known and unknown, would and did defraud the United States, and an agency thereof, by impairing, impeding, and obstructing the lawful functions of HHS, to wit, HHS's function to administer the federal Head Start program, with respect to a particular daycare company ("Daycare Provider-1") that received federal funds to administer Head Start services, by monitoring and ensuring Daycare Provider-1's compliance with administrative and fiscal management standards set forth in the Head Start Act, 42 U.S.C. §§ 9836a, 9837(c)(1), and 9839(a)(3), and its implementing regulations, 45 C.F.R. §§ 75.100(c), 75.402–75.405.

Overt Acts

3. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. From in or about April 2019, up to and including in or about January 2023, a co-conspirator not named herein ("CC-1") who owned a for-profit daycare company ("Daycare Provider-2") caused Daycare Provider-1 to enter into non-arm's length transactions with Daycare Provider-2 for the operation of daycare centers in Brooklyn, New York, without disclosing to HHS CC-1's secret ownership and control of Daycare Provider-1.

b. From in or about 2021, up to and including in or about January 2023, ARIE RANGOTT, the defendant, created and caused to be created documents, including minutes of "board meetings" that never occurred, falsely reflecting that the statutorily required governing body of Daycare Provider-1 had taken various actions, and then caused those fictitious documents to be submitted to HHS when, in truth and in fact, the governing body had not engaged in such actions.

(Title 18, United States Code, Section 371.)

COUNT TWO
(Conspiracy to Falsify Documents and Records)

The Grand Jury further charges:

4. In or about December 2021, in the Southern District of New York and elsewhere, ARIE RANGOTT, the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, to violate Title 18, United States Code, Section 1519.

5. It was a part and object of the conspiracy that ARIE RANGOTT, the defendant, and others known and unknown, would and did knowingly alter, destroy, mutilate, conceal, cover up, falsify, and make a false entry in a record and document with the intent to impede, obstruct, and influence the investigation and proper administration of a matter within the jurisdiction of a department and agency of the United States in violation of Title 18, United States Code, Section 1519.

Overt Act

6. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere:

a. On or about December 21, 2021, ARIE RANGOTT, the defendant, and others known and unknown, caused Daycare Provider-1 to submit a letter to the regional HHS office in New York, New York that falsely denied CC-1's less-than-arm's length relationship with Daycare Provider-1 and falsely denied allegations concerning Daycare Provider-1's oversight of federal funds.

(Title 18, United States Code, Section 371.)

COUNT THREE
(Conspiracy to Obstruct Agency Proceeding)

The Grand Jury further charges:

7. In or about August and September 2022, in the Southern District of New York and elsewhere, ARIE RANGOTT, the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, obstruction of a pending proceeding, in violation Title 18, United States Code, Section 1505.

8. It was a part and an object of the conspiracy that ARIE RANGOTT, the defendant, and others known and unknown, would and did corruptly influence, obstruct, and impede, and endeavor to influence, obstruct, and impede, the due and proper administration of the law under which a pending proceeding was being had before any department or agency of the United States, in violation of Title 18, United States Code, Section 1505.

Overt Acts

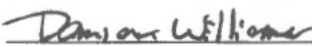
9. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about August 5, 2022, ARIE RANGOTT, the defendant, knowingly and intentionally tampered with a witness interview conducted by HHS Office of the Inspector General ("HHS OIG") investigators by surreptitiously feeding answers to the witness to relay to investigators during the interview.

b. On or about September 2, 2022, ARIE RANGOTT, the defendant, knowingly and intentionally made false statements to HHS OIG investigators during an interview being conducted as part of the HHS OIG investigation into alleged wrongdoing at Daycare Provider-1.

(Title 18, United States Code, Section 371.)


FOREPERSON
5/29/24


DAMIAN WILLIAMS
United States Attorney